

Resolution No.:	16-786
Introduced:	December 2, 2008
Adopted:	December 9, 2008

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY MARYLAND**

By: Planning, Housing, and Economic Development Committee

SUBJECT: Bethesda Urban Partnership, Inc. - Reauthorization

Background

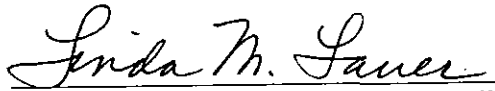
1. On April 20, 1993, in Bill No. 41-92, the County Council amended Chapter 68A of the County Code to enable the creation of Urban District Corporations.
2. In December 1993, the County Council authorized and the County Executive approved the incorporation of an Urban District Corporation under Chapter 68A of the County Code, the Bethesda Urban Partnership, Inc.
3. The Articles of Incorporation of Bethesda Urban Partnership, Inc. were filed with the State Department of Assessment and Taxation on February 1, 1994. Article II of the Articles of Incorporation provides that the period of duration of the corporation is perpetual, but that it will cease to exist after five years if the County Council does not approve a resolution (also approved by the County Executive) extending the corporation for one or an unlimited number of additional five-year terms.
4. The duration of the Bethesda Urban Partnership, Inc. (as a corporation) will expire on February 1, 2009, unless extended by resolution of the County Council and approved by the County Executive as provided in §68A-13(b) of the County Code.
5. The County Council's Office of Legislative Oversight has conducted an evaluation of the operations of Bethesda Urban Partnership, Inc. as provided in §68A-12(e) of the County Code and recommends reauthorization for an additional period of five years.
6. Articles of Amendment of the Articles of Incorporation are attached to this Resolution.

Action

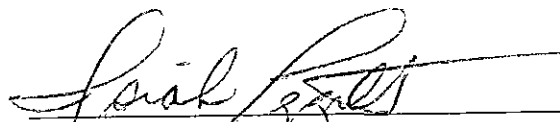
The County Council for Montgomery County Maryland approves the following resolution:

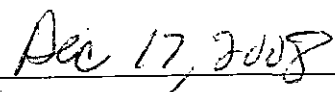
As provided in §68A-13(b) of the County Code, the existence of the Bethesda Urban Partnership, Inc. is continued for an additional five-year term, commencing February 1, 2009, and concluding January 31, 2014. The Articles of Amendment of the Articles of Incorporation for the Bethesda Urban Partnership, Inc. extending its existence for an additional five-year term attached to this Resolution are approved.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council

I approve this Resolution.


Isiah Leggett, County Executive


Date

**ARTICLES OF AMENDMENT
OF
BETHESDA URBAN PARTNERSHIP, INC.
A NON-STOCK CORPORATION**

BETHESDA URBAN PARTNERSHIP, INC., a Maryland non-stock corporation (the "Corporation"), having its principal office at 7700 Old Georgetown Road, Bethesda, Maryland 20814, hereby certifies to the Maryland State Department of Assessments and Taxation that:

FIRST: The Corporation desires to amend its Charter as currently in effect as hereinafter provided.

SECOND: The Charter of the Corporation is hereby amended by striking in its entirety Article II, and by substituting in lieu thereof the following:

"ARTICLES II. DURATION

The period of duration of the Corporation shall be perpetual, provided, however, that the Corporation shall cease to exist:

A. On February 1, 2014, if the County Council does not approve a resolution, approved by the County Executive, in accordance with Chapter 68A-13(a) and (b) of the Montgomery County Code, extending the Corporation for one or an unlimited number of additional five (5) year terms; or

B. At the date specified in a resolution adopted by the County Council and approved by the County Executive, in accordance with Chapter 68A-13(e) of the Montgomery County Code.

Upon dissolution as provided above, Articles of Dissolution shall be filed with the Maryland State Department of Assessments and Taxation."


THIRD: In accordance with Sections 2-604 and 5-201 of the Corporations and Associations Article of the Annotated Code of Maryland, the Board of Directors and Membership of the Corporation duly advised and approved the foregoing Articles of Amendment and, in accordance with Article V, Section 1 of the Charter of the Corporation, the Montgomery County Council duly advised and approved the Articles of Amendment by adopting a resolution approved by the County Executive in accordance with Chapter 68A of the Montgomery County Code.

700 NOV 25 11:11:56

MONTGOMERY COUNTY
FISCAL

IN WITNESS WHEREOF, the Corporation has caused these presents to be signed in its name and on its behalf by the President and its corporate seal to be hereunder affixed and attested by its Secretary on this 18th day of November, 2008, and its President acknowledges that these Articles of Amendment are the act and deed of the Corporation and, under the penalties of perjury, that the matters and facts set forth herein with respect to authorization and approval are true in all material respects to the best of his knowledge, information and belief.

ATTEST:


Jon Weintraub
Secretary

(CORPORATE SEAL)

BETHESDA URBAN PARTNERSHIP,
INC.

By:


Jack Hayes
Chair

f:\law\resolutions\bethurb\articles.doc